- The method according to claim 26 wherein the gemifloxacin compound is gemifloxacin mesylate or a hydrate thereof.
- 28. 11 The method according to claim 21 wherein the gemifloxacin compound is gemifloxacin mesylate sesquihydrate.
- 29. The method according to claim 15 wherein the gemifloxacin compound is gemifloxacin or a pharmaceutically acceptable salt thereof.
- 30. The method according to claim 29 wherein the gemifloxacin compound is gemifloxacin mesylate or a hydrate thereof.
- 31. The method according to claim 30 wherein the gemifloxacin compound is gemifloxacin mesylate sesquihydrate.
- 32. 17 The method according to claim 16 wherein the gemifloxacin compound is gemifloxacin or a pharmaceutically acceptable salt thereof.
- 33. 14 The method according to claim 32 wherein the gemifloxacin compound is gemifloxacin mesylate or a hydrate thereof.
- 34. 19 The method according to claim 33 wherein the gemifloxacin compound is gemifloxacin mesylate sesquihydrate.

## **REMARKS**

Upon entry of this amendment, claims 3, 8 and 12-34 will be pending in the application. Claims 1, 2, 4-7 and 9-11 are being cancelled without prejudice or disclaimer. Claim 3 is being amended and claims 12-34 are being added. Support for this amendment is found, for example, in the original claims of the prior application. No new matter is being added.

A marked-up version showing the amendment to claim 3 is set forth below (new text shown by underlineation):

3. (once-amended) A method of treating or preventing a bacterial infection by pathogenic Mycoplasma bacteria comprising the step of administering an antibacterially effective amount of a composition comprising a gemifloxacin compound, or an antibacterially effective derivative thereof, to a mammal suspected of having or being at risk of having an infection with pathogenic Mycoplasma bacteria.



Favorable consideration and allowance of the claims is earnestly solicited. If it would expedite the prosecution of this application, the Examiner is invited to confer with the Applicants' undersigned attorney.

Respectfully submitted,

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